

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - July 15, 1970

Appeal No. 10420 Earl Riley, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of July 21, 1970.

EFFECTIVE DATE OF ORDER - September 11, 1970

**ORDERED:**

That the appeal for a variance from the side yard requirements of the R-5-A District to permit one story rear addition to dwelling at 3800 - 1st Street, S.E., lot 41, Square 6117, be granted.

**FINDINGS OF FACT:**

1. The subject property is located in an R-5-A District.
2. The subject property is improved with a two (2) story brick single-family dwelling with basement.
3. Appellant proposes to erect a one (1) story rear addition to the single-family dwelling.
4. Appellant stated that the subject property is 28' by 19' and the proposed addition will be 23' by 19'.
5. Appellant alleged that the present structure is six (6) feet from the property line instead of the required eight (8) feet. Appellant also alleged that the proposed addition would come within four (4) inches of the property line (BZA exh. #2).
6. No opposition was registered at the public hearing to the granting of this appeal.

Appeal No. 10420  
September 11, 1970  
PAGE 2

**OPINION:**

We are of the opinion that appeallant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

**ATTESTED:**

By: \_\_\_\_\_  
PATRICK E. KELLY  
Secretary of the Board